THE HON'BLE MR JUSTICE B. PRAKASH RAO

AND

THE HON'BLE MR JUSTICE P. LAKSHMANA REDDY

WRIT APPEAL No.2101 of 2005

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JUDGMENT: (PER THE HONOURABLE BPR,J)

Heard Sri Karanam Ramesh, learned counsel appearing for the appellant and also Sri P. Vinayaka Swamy, learned Standing counsel for the respondents and at their request the main appeal itself is taken up for disposal.

The appellant is the un-successful writ petitioner, who seeks to assail the order rejecting his relief to declare the action of the respondents herein in trying to disengage the appellant, pending conciliation proceedings, which is in violation of Section 33 of Industrial Disputes Act, as illegal.

The learned Single Judge after contest dismissed the writ petition on the ground that it is always open for the petitioner to avail the remedy available under law in the event of any such dismissal or removal from service.

Having heard the counsel on either side and on perusal of the material available on record, it is seen that there is no serious dispute to the fact that the conciliation proceedings are still pending.

The learned counsel for the appellant submits that the appellant is not removed from service. On the other hand, the learned Standing Counsel for the respondents submits that they have disengaged the services of the appellant in September 2005,

which is being disputed by the learned counsel for the appellant and submitted that no termination orders have been passed by the respondents.

In the circumstances, the writ appeal is disposed of directing the respondents to complete the conciliation proceedings, within a period of three months from the date of receipt of a copy of this order.

It is needless to mention that the appellant shall be continued in service and he shall not be disengaged if the respondents already not disengaged him.

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B. PRAKASH RAO, J

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P. LAKSHMANA REDDY, J

Date: 01.02.2006

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